

UNITED STATES DISTRICT COURT

FOR THE EASTERN DISTRICT OF CALIFORNIA

CHARLENE STITH,

Plaintiff,

v.

STATE OF CALIFORNIA, et al.,

Defendants.

No. 1:23-cv-00947 KES GSA (PC)

ORDER DIRECTING PLAINTIFF TO FILE  
RESPONSE TO DEFENDANTS' MOTION  
TO DISMISS

(ECF No. 27)

PLAINTIFF'S RESPONSE TO  
DEFENDANTS' MOTION TO DISMISS, OR,  
IN THE ALTERNATIVE, A STATEMENT OF  
NON-OPPOSITION TO IT, DUE IN THIRTY  
DAYS

VICTORIA GREEN,

Plaintiff,

v.

STATE OF CALIFORNIA, et al.,

Defendants.

No. 1:23-cv-00973 KES GSA (PC)

ORDER DIRECTING PLAINTIFF TO FILE  
RESPONSE TO DEFENDANTS' MOTION  
TO DISMISS

(ECF No. 24)

PLAINTIFF'S RESPONSE TO  
DEFENDANTS' MOTION TO DISMISS, OR,  
IN THE ALTERNATIVE, A STATEMENT OF  
NON-OPPOSITION TO IT, DUE IN THIRTY  
DAYS

1 RAYSHAWN HART,

2 Plaintiff,

3 v.

4 STATE OF CALIFORNIA, et al.,

5 Defendants.

No. 1:23-cv-00977 KES GSA (PC)

ORDER DIRECTING PLAINTIFF TO FILE  
RESPONSE TO DEFENDANTS' MOTION  
TO DISMISS

(ECF No. 21)

PLAINTIFF'S RESPONSE TO  
DEFENDANTS' MOTION TO DISMISS, OR,  
IN THE ALTERNATIVE, A STATEMENT OF  
NON-OPPOSITION TO IT, DUE IN THIRTY  
DAYS

9 ZENAIDA CORDOVA

10 Plaintiff,

11 v.

12 GREG RODRIGUEZ, et al.,

13 Defendants.

No. 1:24-cv-00482 KES GSA (PC)

ORDER DIRECTING PLAINTIFF TO FILE  
RESPONSE TO DEFENDANTS' MOTION  
TO DISMISS

(ECF No. 16)

PLAINTIFF'S RESPONSE TO  
DEFENDANTS' MOTION TO DISMISS, OR,  
IN THE ALTERNATIVE, A STATEMENT OF  
NON-OPPOSITION TO IT, DUE IN THIRTY  
DAYS

17 Plaintiffs in the above-referenced cases are state prisoners who have filed civil rights  
18 actions seeking relief under 42 U.S.C. § 1983. All Plaintiffs are represented by the same counsel.  
19 These matters were referred to a United States Magistrate Judge pursuant to 28 U.S.C. §  
20 636(b)(1)(B) and Local Rule 302.

21 For the reasons stated below, the above-referenced Plaintiffs will be ordered to file  
22 responses to Defendants' motions to dismiss, or, in the alternative, statements of non-opposition  
23 to them. Plaintiffs will be given thirty days to take either course of action.

24 I. RELEVANT FACTS

25 On October 1, 2024, Defendants in each of the above-referenced matters filed motions to  
26 dismiss. See Stith, ECF No. 27; Green, ECF No. 24; Hart, ECF No. 21, and Cordova, ECF No.  
27 16. Recently, these cases have been referred to District Judge Jennifer L. Thurston, and all dates  
28

1 previously set for these matters on the previously assigned District Judge's calendar have been  
2 vacated. See Stith, ECF No. 28; Green, ECF No. 25; Hart, ECF No. 22, and Cordova, ECF No.  
3 17.

4 **II. DISCUSSION**

5 In total, nine cases have been related in these proceedings. All Plaintiffs are different in  
6 each case, but many of the named Defendants are the same.

7 To date, motions to dismiss have been filed by Defendants in four of the other matters,  
8 and they have been fully briefed. See generally Robertson v. State of California, No. 1:23-cv-  
9 00975 JLT GSA; Lipsy v. State of California, No. 1:23-cv-00976 JLT GSA; Graham v. State of  
10 California, No. 1:23-cv-01323 JLT GSA, and Purdagone v. State of California, No. 1:23-cv-  
11 01324. The Court will consider Defendants' motions on the papers in these cases. In the ninth  
12 matter, to date, no dispositive motion(s) has/have been filed.<sup>1</sup> See generally Carroll v. State of  
13 California, No. 1:23-cv-00974 JLT GSA (docket entries).

14 Given that the four above-referenced, related matters have motions to dismiss that have  
15 been fully briefed and are submitted on the papers, in the interests of efficiency, the Court finds  
16 that submitting the instant four matters on the papers would best serve the interests of efficiency.  
17 Therefore, Plaintiffs will be ordered to file responses to Defendants' motions to dismiss within  
18 thirty days. Thereafter, Defendants shall have fourteen days to file their replies, if any, after  
19 which, the motions to dismiss will be deemed submitted on the papers.

20 Accordingly, IT IS HEREBY ORDERED that:

21 1. Within thirty days from the date of this order, Plaintiffs shall file a response to  
22 Defendants' motions to dismiss in their respective case;  
23 2. Defendants' replies to Plaintiffs' responses to Defendants' motions to dismiss – if any  
24 – shall be filed within fourteen days of Plaintiffs filing their responses, and

25  
26  
27  
28 <sup>1</sup> The only outstanding motion in Carroll is Plaintiff's motion for injunctive relief. See Carroll,  
ECF No. 23. The Court will screen the Carroll matter in due course.

3. The matters will be deemed submitted on the papers fourteen days after Plaintiffs have filed their responses to Defendants' motions to dismiss.

IT IS SO ORDERED.

Dated: October 28, 2024

/s/ Gary S. Austin  
UNITED STATES MAGISTRATE JUDGE